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RECEIVED
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Mark L. McAlpine

February 25, 2008

U.S. DISTRICT JUDGE
S.D.N.Y.

VIA FACSIMILE

The Honorable Harold Baer, Jr.
United States District Judge
United States Courthouse
500 Pearl St.
New York, NY 10007

Re: **Tiara Condominium Association, Inc. v. Marsh, Inc., et al.**
United States District Court Case No. 07-civ-9392

Dear Judge Baer:

We write to inform you that we have filed Plaintiff's Stipulation to Transfer Venue, thereby consenting to the relief requested in Defendants' motion to transfer this case to the United States District Court for the Southern District of Florida. While we firmly believe that there are sufficient and compelling reasons why venue is also proper in the Southern District of New York including, but not limited to, the fact that Defendants are located in New York, New York, we have nevertheless decided not to oppose Defendants' efforts to move this matter to Florida. We will continue the briefing process relative to the Defendants' renewed Motion for Summary Judgment unless the Court intends to transfer the ruling on that Motion now that we have stipulated to transfer this case to Florida.

Very truly yours,

MCALPINE & ASSOCIATES, P.C.

Mark L. McAlpine

MLM/cc

cc: Mitchell F. Auslander, Esq.
Gregory Conway, Esq.

I find it to be in the interest of justice to grant the motion to change venue to Florida (non-movant) in this matter. The clerk should be instructed to assist the movant in removing the case to Florida & it should be removed from my docket.
Harold Baer, Jr., U.S.D.J.
Date: 2/25/08

Endorsement:

If as I understand it the motion to change venue is granted on consent the motion to dismiss (misnamed) in this letter should be before the Florida Judge. The Clerk here is instructed to assist you in removing the case to Florida and it should be removed from my docket.